

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

ASHLEE E. PADGETT, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:23-cv-00071-MPB-CSW
)	
JACOB CARL BUTLER, <i>et al.</i> ,)	
)	
Defendants.)	

STIPULATION AS TO TRIAL EXHIBITS

The parties, by counsel, having heretofore conferred regarding their pretrial obligations and requirements with respect to the Case Management Plan, hereby jointly notify the Court that the parties stipulate to the authenticity and foundation of all trial exhibits identified on any party's Final Exhibit List filed on April 1, 2025, except as noted herein.

As such, after opening statements and before the commencement of the Plaintiffs' case in chief, counsel will collectively move to admit the stipulated trial exhibits into evidence. As to the stipulated Answers to Interrogatories, the parties further agree that only the particular Answers desired by any party need be included in the exhibit(s) submitted into evidence.

However, the parties have raised certain substantive objections (on grounds other than authenticity or foundation) to the following exhibits ("Non-Stipulated Exhibits") and therefore object to their admission:

John F. Doherty, Ed.D.'s expert report, attached as Exhibit "A-1" to Plaintiffs' Expert Witness Disclosures.

John F. Doherty, Ed.D.'s Curriculum Vitae, attached as Exhibit "A-1-A" to Plaintiffs' Expert Witness Disclosures.

A list of documents reviewed and other references and resources relied upon by John F. Doherty, Ed.D., attached as Exhibit “A-1-B” to Plaintiffs’ Expert Witness Disclosures.

Staci B. Weiner, Psy.D., APIT’s expert report concerning B.L.H. and his mother, Ashlee E. Mercer, formerly known as Ashlee E. Padgett, attached as Exhibit “B-1” to Plaintiffs’ Expert Witness Disclosures.

Staci B. Weiner, Psy.D., APIT’s expert report concerning S.A.B. and his parents, Casey A. Boyer and Kristy A. Martin, attached as Exhibit “B-2” to Plaintiffs’ Expert Witness Disclosures.

Staci B. Weiner, Psy.D., APIT’s expert report concerning N.C.G. and his parents, Sean R. Giolitto and Christopher S. Pentecost, attached as Exhibit “B-3” to Plaintiffs’ Expert Witness Disclosures.

Staci B. Weiner, Psy.D., APIT’s expert report concerning D.M.F. and his mother, Haley Kanizar, attached as Exhibit “B-4” to Plaintiffs’ Expert Witness Disclosures.

Staci B. Weiner, Psy.D., APIT’s Curriculum Vitae, attached as Exhibit “B-5” to Plaintiffs’ Expert Witness Disclosures.

Bill Gregory’s expert report, attached as Exhibit “C-1” to Plaintiffs’ Expert Witness Disclosures.

Bill Gregory’s Curriculum Vitae, attached as Exhibit “C-2” to Plaintiffs’ Expert Witness Disclosures.

Bosse High School Intern Sign-In Forms for November 2021 to February 2022 EVSC000854.

Videorecording(s), transcript(s), and/or summary(ies) of, excerpt(s) from, and/or any exhibit(s) to, the deposition(s) of:

- a. Ashlee Padgett-Mercer;
- b. Casey Boyer;
- c. Kristy Martin;
- d. Sean Giolitto;
- e. Chris Pentecost;
- f. Haley Kanizar;
- g. Timothy Alford;
- h. Phoebe August;
- i. Jacob Butler;
- j. Annette Combs;

- k. Jason Cullum;
- l. Laura Dunlap;
- m. Jeanette Lindauer;
- n. Chanel Malone;
- o. Ellen Messer;
- p. Carlada Patterson;
- q. Diane Pirkle;
- r. Cherie Smith;
- s. Abby Smithhart;
- t. Akane Suzuki;
- u. Pamela Biobaku, formerly known as Pamela Wilson;
- v. Dr. Staci Weiner;
- w. Keith Gehlhausen; and/or
- x. Shari Millikan.

Plaintiffs' Complaint.

UE Settlement Documents.

Should the Court find that some or all the Non-Stipulated Exhibits are admissible despite the respective objections on substantive grounds, then the parties agree and stipulate that those exhibits will also be admitted into evidence by joint stipulation without contesting authenticity or foundation as described above.

Respectfully submitted,

s/ Lane C. Siesky

Lane C. Siesky, Atty. No. 21094-53
Daniel B. Gearhart, Atty No. 24194-49
Robert T. Garwood, Atty. No. 32223-49
Douglas K. Briody, *Of Counsel*,
Atty. No. 17883-82
SIESKY LAW FIRM, PC
4424 Vogel Rd., Suite 405
Evansville, Indiana 47715
Telephone: (812) 402-7700
Fax: (812) 402-7744
lane@sieskylaw.com
dan@sieskylaw.com
robert@sieskylaw.com
doug@sieskylaw.com
ATTORNEYS FOR PLAINTIFFS

s/ Mark K. Phillips*

Mark K. Phillips
PHILLIPS LAW, P.C.
301 W. Main St.
P.O. Box 427
Boonville, IN 47601
TEL: (812) 897-4400
FAX: (812) 897-4451
EMAIL: mphilips@phillipslawpc.com
ATTORNEYS FOR DEFENDANT
JACOB CARL BUTLER

**ZIEMER STAYMAN WEITZEL &
SHOULDERS, LLP**

By: /s/ Robert L. Burkart*

Patrick A. Shoulders #308-82
Robert L. Burkart #16664-82
20 NW First Street, 9th Floor
PO Box 916
Evansville, Indiana 47706-0916
Email: pshoulders@zsws.com;
rburkart@zsws.com
ATTORNEYS FOR DEFENDANTS EVSC
AND BOARD OF TRUSTEES OF EVSC

* *Affixed with Permission*

CERTIFICATE OF SERVICE

I hereby certify that on April 14, 2025, a copy of the foregoing *Stipulation as to Trial Exhibits* was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Mark K. Phillips
mphilips@phillipslawpc.com

Patrick A. Shoulders
pshoulders@zsww.com

Robert L. Burkart
rburkart@zsww.com

s/ Lane C. Siesky
Lane C. Siesky
SIESKY LAW FIRM, PC
4424 Vogel Rd., Suite 405
Evansville, Indiana 47715
Telephone: (812) 402-7700
Fax: (812) 402-7744
lane@sieskylaw.com
ATTORNEYS FOR PLAINTIFFS